

Summary of waiver for districts and charter schools that offer programs that provide an instructional day of less than 420 minutes

Alternative Education Program (AEP), Disciplinary Alternative Education Program (DAEP), and charter schools

- Grant a one-time waiver for the school year 2016–2017 to AEP, DAEP, and charter schools that offer less than 420 minutes per day.
- The waivers will expire August 2017.
- Districts and charter schools will submit waivers through the Texas Education Agency (TEA) online waiver system.
- Districts and charter schools requesting the one-time waiver will also need to provide a bell schedule and calendar for the 2015–2016 and 2016–2017 school years. Financial Accountability will review requested waivers and supporting documentation.
- One-time waivers will only be granted to districts and charter schools that were providing less than 420 minutes of instruction per day through AEP, DAEP, or charter school programs prior to requesting the waiver.
- Your district or charter school should submit a request for a general [waiver](#) using the TEA's automated waiver application system, which is available in the online TEA Login (TEAL) secure environment. The waiver will allow districts and charter schools to offer programs that provide an instructional day of less than 420 minutes. When submitting a waiver request, cite the requirement that a district or charter school offer 420 minutes of instruction per day in accordance with Texas Education Code (TEC), §25.081 and §25.082, in item 3 of the "General Waiver" section.

Assuming that current law is unchanged, all districts will be required to comply with the requirement to provide an instructional day of 420 minutes and to adopt a calendar that includes at least 75,600 minutes of instructional days over the course of the school year beginning with the 2017-2018 school year in accordance with TEC, §25.081 and §25.082. Charter schools will be funded based on the number of minutes of instruction in their school calendars. Charter schools that do not provide 75,600 minutes of instruction during the school year will have their Foundation School Program (FSP) funding reduced proportionately.

Prekindergarten (applies to stand-alone prekindergarten campuses and prekindergarten housed in an elementary school campus with other grade levels)

- Grant a one-time waiver for prekindergarten programs that offer less than a 210 minute school day, but offer at least 2 hours (120 minutes) of instruction per day.
- The waivers will expire August 2017.
- The district or charter school will submit the waivers as an email attachment using a fillable PDF.
- The fillable PDF will include fields for the district or charter school to indicate the minutes of its school day and the minutes of instruction it is providing and a field for the number of minutes they wish to have waived.
- The fillable PDF will require the date of board approval and a signature field for the superintendent.

- Districts and charter schools requesting the one-time waiver will also need to provide a bell schedule and calendar for the 2015–2016 and 2016–2017 school years.
- Financial Accountability will review requested waivers (PDF) and supporting documentation.
- One-time waivers will only be granted to districts and charter schools that offered prekindergarten programs that offered a school day of less than 210 minutes in the 2015–2016 school year.
- Your district or charter school should submit a request for a waiver using the required form under the Additional Resources section in the [Student Attendance Accounting Handbook](#) and under the Waiver Categories section in the [Waiver](#) webpages on the TEA website. The waiver will allow districts and charter schools to offer prekindergarten programs that provide an instructional day of less than 210 minutes. Beginning with the 2017–2018 school year, school districts and charter schools will be required to provide prekindergarten programs with instructional days of at least 210 minutes in accordance with TEC, §25.081 and §29.153.